

0054

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8126

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose MONTANO-Anzures

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

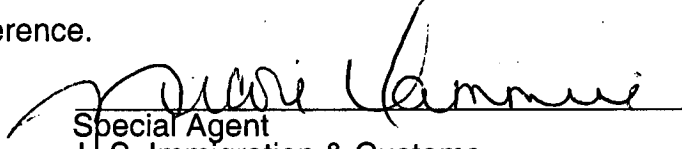
21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about February 10, 2008, within the Southern District of California, defendants Jose MONTANO-Anzures did knowingly and intentionally import approximately 18.10 kilograms (39.82 pounds) of cocaine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 11TH,
DAY OF FEBRUARY 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Jose MONTANO-Ansures

4 STATEMENT OF FACTS

5 This statement of facts is based on the reports, documents, and notes furnished
6 to US Immigration and Customs Enforcement Special Agent Nicole Yammine.

7 On February 10, 2008 at approximately 1737 hours, Jose MONTANO-Ansures
8 entered the United States at the Calexico, California, East Port of Entry. MONTANO
9 was the driver and sole occupant of a 2000 Ford Mustang, bearing Baja California
10 license plate BEC5523.

11 MONTANO presented his Border Crossing Card (BCC) and provided a negative
12 oral Customs declaration to CBP Officer Bosquet. MONTANO told CBP Bosquet that
13 he was the owner of the vehicle. CBP Officer Bosquet noticed that MONTANO began
14 becoming restless and decided to refer the vehicle to vehicle secondary for further
15 inspection.

16 In the vehicle secondary lot, CBP Officer M. Almaghraby took a negative
17 Customs declarations. MONTANO advised CBP Almaghraby that he was going to the
18 mall to return some articles of clothing at the Guess store. MONTANO stated he has
19 been the registered owner of the vehicle for approximately one month. CBP Officer
20 Almaghraby noticed the rocker panels were tampered with. CBP Officer Almaghraby
21 then requested that CBP Canine Enforcement Officer (CEO) D. Ragsdale, and his
22 canine, conduct a sweep of the vehicle. The canine alerted to the driver side rocker
23 panel of the vehicle. CEO Ragsdale notified CBP Officer Almaghraby of the alert.

24 A subsequent inspection of the vehicle revealed 16 packages within the intake
25 manifold within the engine of the vehicle. CBP Officer Almaghraby probed one of the
26 packages, and a sample of a white powdery substance was obtained, which field tested
27 positive for cocaine. The 16 packages had a combined net weight of approximately
28 18.10 kilograms (39.82 pounds).

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1 MONTANO was placed under arrest and advised of his Constitutional Rights.
2 MONTANO admitted knowledge of the narcotics found within the vehicle. MONTANO
3 stated he was going to be paid \$2,000 to smuggle the drug-laden vehicle from Mexico
4 into the United States.
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